APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,466	04/21/2004	Yi-Fen Chen	10033.001000	6418

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EXAMINER
TRUONG, THANHNGA B

ART UNIT	PAPER NUMBER
2135	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Office Action Summary	Application No.	Applicant(s)
		10/829,466	CHEN ET AL.
		Examiner	Art Unit	
		Thanhnga B. Truong	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 September 2007*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *21 April 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date *8/24/07*.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

1.   This action is responsive to the communication filed on September 10, 2007. Claims 1-20 are pending. At this time, claims 1-20 are rejected.

Information Disclosure Statement

2.   The information disclosure statement (IDS) filed on August 24, 2007 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Response to Argument

3.   Applicant's arguments filed September 10, 2007 have been fully considered but they are not totally persuasive. However, upon an in-depth reviewing and searching, the new ground(s) of rejection is made in view of Albert et al (US 6,650,641) and Schwering (US 6,717,943). Thus, the previous rejection is withdrawn.

The fact that Examiner may not have specifically responded to any particular arguments made by Applicant and Applicant's Representative, should not be construed as indicating Examiner's agreement therewith.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 10, 12-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Borella et al (US 7,028,335 B1).

      a.   *Referring to claim 10:*

i.   Borella teaches a system for controlling traffic in a computer network, the method comprising:

(1)   a first computer including a kernel driver, the kernel driver being configured to modify a packet generated at the first computer **(column 3, lines 37-42; column 4, lines 23-35 of Borella)**, the packet being intended for a second computer and being modified to be forwarded from the first computer to a third computer **(column 3, lines 24-25; column 21, lines 51-53; column 4, lines 41-45 of Borella)**.

b.   _Referring to claims 12-15:_

i.   These claims have limitations that is similar to those of claims 2-6, 8-9, thus they are rejected with the same rationale applied against claims 2-6, 8-9 below.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 1-6, 8-9, 17, 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borella et al (US 7,028,335 B1), and further in view of Albert et al (US 6,650,641).

a.   _Referring to claim 1:_

i.   Borella teaches a method of controlling traffic in a computer network, the method comprising:

(1)   modifying a data unit to be sent by a first computer, the data unit being intended for a second computer, the data unit being modified such that the data unit is redirected from the first computer to a third computer **(column 3, lines 37-42; column 4, lines 23-35 of Borella);**

(2)   sending the data unit from the first computer to the third computer **(column 3, lines 24-25; column 21, lines 51-53 of Borella);** and

(3)   forwarding the data unit from the third computer to the second computer **(column 4, lines 41-45 of Borella).**

ii.   Borella does suggest data and/or packets being redirected via NAT router for translating every inbound and outbound data packet **(column 2, lines 21-48 of Borella).** However, Albert correctly teaches data packet's redirection in Figures 6 and 10F and further details in **column 16, lines 27-41; column 28, lines 34-50 of Albert.**

iii.   It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

(1)   have modified or clearly addressed the NAT's translation in Borella with the teaching of Albert for redirecting data packet to a specific computer and/or server **(column 16, lines 40-41 of Albert).**

iv.   The ordinary skilled person would have been motivated to:

(1)   have modified or clearly addressed the NAT's translation in Borella with the teaching of Albert for performing network address translation using a service manager and a forwarding agent, wherein forwarding agent can redirect traffic from client sent to a virtual IP address to a real IP address selected by the service manager and may also direct the traffic to a different port on the real machine at the real IP address then the port specified by the client **(column 3, lines 52-53 and column 28, lines 39-43 of Albert).**

b.   *Referring to claim 2:*
i.   Borella teaches:
(1)   wherein the data unit is selected to be modified based on an intended destination of the data unit **(column 3, lines 37-42; column 4, lines 23-35 of Borella).**

    c.   *Referring to claim 3:*

        i.   Borella teaches:

        (1)   wherein the data unit is modified in the first computer prior to initialization of a network-enabled application in the first computer **(column 3, lines 37-42; column 4, lines 23-35 of Borella)**.

    d.   *Referring to claim 4:*

        i.   Borella teaches:

        (1)   wherein the data unit comprises an Ethernet packet **(column 8, lines 20-36 of Borella)**.

    e.   *Referring to claim 5:*

        i.   Borella teaches:

        (1)   wherein a destination address field of the data unit is modified to contain an address of the third computer in a destination address field and an address of the second computer in another portion of the packet **(column 19, lines 3-15 of Borella)**.

    f.   *Referring to claim 6:*

        i.   Borella teaches:

        (1)   wherein the second computer comprises a DHCP (Dynamic Host Configuration Protocol) server **(column 10, lines 5-14 of Borella)**.

    g.   *Referring to claim 8:*

        i.   Borella teaches:

        (1)   wherein the data unit is quarantined at the third computer **(column 3, line 60 through column 4, line 11 of Borella)**.

    h.   *Referring to claim 9:*

        i.   Borella teaches:

        (1)   the third computer is selected to receive the data unit based on an intended destination of the data unit **(column 3, lines 7-18 of Borella)**.

    i.   *Referring to claims 17, 19-20:*

i. These claims have limitations that is similar to those of claims 1-9, thus they are rejected with the same rationale applied against claims 1-9 above.

8. Claims 7, 11, 16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borella et al (US 7,028,335 B1), in view of Albert et al (US 6,650,641), and further in view of Schwering (US 6,717,943 B1).

     a. _Referring to claims 7, 11, 16, and 18:_

     i. The combination of teaching between Borella and Albert teaches the claimed subject matter. Although Borella discloses denied of service attacks and its controlling attacks, Borella is silent on the capability of showing scanning the data packet for viruses. On the other hand, Schwering teaches scanning the data unit for viruses **(column 8, lines 9-10; lines 19-23 of Schwering).**

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

     a. Cheriton (US 7,092,399 B1) discloses redirecting multiple requests received over a connection to multiple servers (see title).

     b. Lim et al (US 7,082,134 B1) discloses redirect checking (see title).

     c. Maher, III et al (US 6,654,373 B1) discloses content aware network apparatus (see title).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 571-272-3858.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached at 571-272-3859. The fax and phone numbers for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

TBT

November 23, 2007

THANHNGA TRUONG
PRIMARY EXAMINER